IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

Bail Appl..No. 982 of 2007()

CRIME NO.25/07 OF PONKUNNAM POLICE STATION

: PETITIONER/ACCUSED:

DENNY .T.P. @ THAMPI, AGED 31 YEARS,
S/O.PRAKASH, THAKADIYIL,
PONKUNNAM P.O., KOTTAYAM DISTRICT.

BY ADV. SRI.JOY GEORGE
SMT.PRAICY JOSEPH
SMT.ANU VENU

RESPONDENT/:

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE CIRCLE INSPECTOR OF POLICE,
PONKUNNAM POLICE STATION,
PONKUNNAM, KOTTAYAM DISTRICT.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMAAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 982 OF 2007

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DATED THIS THE 23rd DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the first accused in Crime No.25/07 of Ponkunnam Police Station for an offence punishable under section 308 read with section 34 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the occurrence took place at about 10 PM on 17.1.2007 and that the petitioner is alleged to have trespassed into the property of the de facto complainant and attacked him with a sword causing injuries including head injuries and fracture.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn